# FREDERICK POLICE DEPARTMENT GENERAL ORDER

Section 3: Police Vehicles and Equipment Order Number: 920

Topic: FIREARMS EQUIPMENT REGULATIONS Issued by: Chief of Police

**Approved:** 05/01/19

**Review:** Annually in September by the Support Services Division Commander

**Supersedes:** G.O. 920 dated 08/01/15

# .01 PURPOSE:

To establish firearm and ammunition policies and procedures for all Department personnel authorized to carry and use them for law enforcement purposes.

## .02 CROSS-REF:

G.O. 705, "Use of Force"

G.O. 720, "Deadly Force Guidelines and Investigations"

G.O. 955, "Take Home and Assigned Vehicles"

G.O. 1401, "Court Procedures"

G.O. 1710, "Roll Call"

G.O. 1732, "Firearms Qualification"

Form OSB-020 - Firearms Maintenance Log

Form OSB-014 - Firearms Sign-out Log

Form TD-030 - Training Report

#### .03 DISCUSSION:

Firearms are essential to police work; however, strict controls must govern all aspects of the use of them to prevent carelessness, negligence, or otherwise improper use. Sworn Department personnel are authorized to carry and use firearms in accordance with the regulations of the Maryland Police Training Commission and Maryland law.

This order is applicable only to firearms use for law enforcement purposes, and is not applicable to lawful use of personal firearms for other purposes, such as hunting, target practice, or competitive shooting.

### .04 POLICY:

It is the policy of the Frederick Police Department that its officers will utilize, for law enforcement purposes, only those firearms and ammunition that the Department has authorized and that the officer has been trained with and qualified with. Such firearms will be utilized only in the manner and under the circumstances authorized by the Department.

# .05 DEFINITIONS:

DUTY FIREARM: The handgun issued to sworn personnel to be carried while on-duty or in uniform.

FIREARM: Any firearm from which a shot is fired by explosive force except for less lethal firearms.

FIREARMS COORDINATOR: A Certified Firearms Instructor, assigned to the Training Unit, who is designated to coordinate all firearms training, programs, and equipment.

OFF-DUTY FIREARM: A handgun, supplied by a sworn officer and approved by the Department, to be carried when not on-duty or in uniform.

PATROL RIFLE: A firearm classified by MPCTC as a Type 3 Long Gun and issued to certified users and SRT personnel. A Type 3 long gun is characterized as a long gun (rifle) without an optical sighting device, or with an optical sighting device of 4 power or less.

SHORT-TERM or SPARE ISSUED FIREARMS: Any firearm that is issued on a short-term basis from any firearms storage location

SKILLS MANAGER: The computer system the Firearms Coordinator utilizes to inventory all Department weapons.

SPECIAL FIREARM: A Department firearm, other than a duty firearm, training firearm, patrol rifle, or shotgun.

TRAINING FIREARM: A Department firearm for that the only purpose is use during training, and therefore with that officers do not need to qualify.

TRADE-IN or EXCHANGED FIREARM: A Department firearm that will be disposed of via trade or exchange for a new replacement firearm through an approved firearms dealer.

## .10 FIREARMS AUTHORIZATION:

- 1. Sworn officers will only carry and use departmental and off-duty firearms and ammunition authorized by the Chief of Police.
- 2. The Firearms Coordinator will maintain records of all authorized firearms and ammunition. For firearms, such records will include type, description, manufacturer, model, serial number, and owner, assigned officer, or storage location.
- 3. Personnel will carry and use only those firearms and ammunition with that they have been trained and are currently qualified, in accordance with <u>G.O. 1732, "Firearm Qualification."</u>
- 4. Authorized personnel will use firearms only in the manner in that they have been trained and in accordance with <u>G.O. 705</u>, "<u>Use of Force</u>" and <u>G.O. 720</u>, "<u>Deadly Force Guidelines and Investigations.</u>"
- 5. The Chief of Police will approve all firearms purchases.
- All purchase orders request for ammunition, firearms parts, firearms accessory and firearms must be initially submitted to the Firearms Coordinator for approval. The Firearms Coordinator will then submit the purchase order to his or her chain of command for approval.
- 7. Newly purchased firearms will be shipped to the Firearms Coordinator for initial inspection and issuance. The following information will be recorded into the Skills Manager prior to the firearm being placed into service: serial number, make, model, caliber, and individual and/or division assigned. This applies to the purchase of all Departmental weapons/training weapons, even if the weapon is not intended for use by another Departmental entity.

# .15 AUTHORIZED PERSONNEL TO BE ARMED:

- 1. While on-duty or in uniform, all sworn officers are to be armed with their duty firearm, with the following exceptions:
  - A. Officers granted permission by a supervisor to be unarmed during training or undercover operations;
  - B. Officers whose police powers are suspended, medically or otherwise;
  - C. Officers who are inside of a secure facility or location that requires him/her to be unarmed; and,
  - D. Officers appearing in court while not in uniform.
- 2. While off-duty within the State of Maryland, officers are encouraged to carry an authorized firearm but are not required to do so. Off-duty officers operating a departmental vehicle must be armed with their duty firearm or an off-duty firearm.
- 3. Officers are not authorized to carry a firearm in another state unless:
  - A. The officer is on-duty and on an authorized assignment; or,
  - B. The officer is in compliance with the laws of the other state, including the provisions of the Law Enforcement Officers Safety Act.
- 4. Officers whose duties require that they be armed while using air travel will comply with all Federal Aviation Administration regulations and guidelines, as well as the policies of the air carrier to be utilized. Mandated FAA training will be coordinated via the Firearms Coordinator.
- 5. Whenever they are armed, officers are required to have on their person their badge, their departmental identification card, and their Maryland Police Training Commission certification card.

# .20 FIREARMS SAFETY AND SECURITY:

- 1. An officer who has been issued or assigned a departmental firearm is solely responsible to ensure their firearm(s) is maintained in a safe and secure manner at all times.
- 2. Departmental firearms will not be stored in a vehicle that requires unsupervised towing, maintenance, or repair.
- 3. Departmental firearms will be secured in the locked trunk of a take home or assigned vehicle (as defined by G.O. 955) when left unattended for a short period of time. Unless the departmental vehicle is equipped with a department approved weapons trunk locker, which is in good working order, all firearms will be removed from the vehicle while parked overnight.
- 4. Officers will not carry or use any firearm that is not in safe and good working condition.
- 5. Firearms safety and security will be incorporated into entrance-level and annual inservice training courses, as per G.O. 1732, "Firearms Qualifications."

- 6. All officers will be provided a cable lock for their duty weapon at the time of initial issuance.
- All firearms received from officers due to an extended suspension, non-officer status, or military deployment will be transferred to the Firearms Coordinator for a firearms inspection and storage.

# .25 FIREARM CLEANING AND INSPECTIONS:

- DUTY FIREARM:
  - A. Assigned officer:
    - (1) Field cleaning of their duty firearm;
    - (2) Daily inspection of their duty firearm for damage and proper function prior to each shift/day of work.
  - B. Supervisors:
    - (1) Monthly inspections, as per G.O. 1710, "Roll Call."
    - (2) Oversee annual armorer inspections.
  - C. Departmental armorer:
    - (1) Annual armorer cleaning;
    - (2) Annual armorer inspection for damage and proper function.
  - D. Firearms Coordinator:
    - (1) Inspect firearms prior to issuance;
    - (2) Inspect firearms when returned and prior to storage.
- OFF-DUTY FIREARMS:
  - A. Assigned officer:
    - (1) Field cleaning of their off-duty firearm;
    - (2) Inspection of their duty firearm for damage and proper function.
  - B. Firearms Coordinator will inspect each off-duty firearm prior to qualification, as per G.O. 1732, "Firearms Qualifications.".
- 3. ISSUED SHOTGUNS AND PATROL RIFLES:
  - A. Assigned officer:
    - (1) Field cleaning of their issued shotgun and/or patrol rifle;
    - (2) Inspection of their issued shotgun and/or patrol rifle for damage and proper function prior to each shift/day of work.

- B. Departmental armorer:
  - (1) Armorer cleaning;
  - (2) Armorer inspection for damage and proper function.
- C. Firearms Coordinator will inspect issued shotguns and patrol rifles at least prior to the assigned officer's annual or semi-annual qualification with the firearm.

#### 4. SPECIAL FIREARMS:

- A. Assigned officer:
  - (1) Field cleaning of their issued special firearm;
  - (2) Inspection of their issued special firearm for damage and proper function.
- B. Supervisors:
  - (1) Monthly inspections, as per <u>G.O. 1710, "Roll Call."</u>;
  - (2) Oversee annual armorer inspections.
- SHORT-TERM or SPARE ISSUED FIREARMS:
  - A. Assigned officer is responsible for the Inspection of the weapon for cleanliness, damage and proper function prior to receiving it.
  - B. Firearms Coordinator:
    - (1) Inspection of the firearm(s) for cleanliness, damage and proper function prior to receiving it;
    - (2) Clean and inspect firearm(s) for cleanliness, damage and proper function prior to issuing it.
  - C. Supervisors:
    - (1) Monthly inspections, as per G.O. 1710, "Roll Call;"
    - (2) Oversee annual armorer inspections.
- 6. TRAINING FIREARMS:
  - A. Firearms Coordinator will ensure the firearms are cleaned and inspected on a regular basis.
  - B. Lead Instructor will ensure the firearms are Cleaned and inspected for damage and proper function before and after training.
- 7. Any officer who discovers damage or issues regarding function during any inspection will notify their supervisor to have the firearm cleaned and inspected by an armorer or. A spare firearm will be issued to the officer if necessary. Repairs and alterations to

- Department firearms, with the exceptions of slip-on rubber grip and grip plugs, will be made only by Department armorers qualified to work on the type of firearm in question.
- 8. The Firearms Coordinator will ensure that records are maintained of all repairs to and all annual inspections of all Department firearms, using the "Firearms Maintenance Log" (Form OSB-020).
- The Firearms Coordinator will ensure that a sufficient number of Department members are trained and certified as armorers for each firearm firearms system that the Department issues.

## .30 GENERAL FIREARMS PROVISIONS:

- 1. Routine loading and unloading of all firearms while on-duty will be done while pointing the firearm into a discharge containment box. During training, officers will follow the instruction of firearms instructors concerning loading and unloading of firearms.
- 2. Except for training purposes, whenever a firearm is issued to any officer, either on a short- or long-term basis, the transaction will be recorded in Skills Manager.

# .35 GENERAL FIREARMS RESTRICTIONS:

- Personnel will not use firearms to strike any person, unless necessary to defend themselves or others from death or serious bodily injury when no other reasonable means are available.
- 2. Firearms will not be unnecessarily drawn or displayed, nor will they be handled in an unsafe or careless manner.
- 3. No officer will wear, carry, or use a firearm while their ability to use the firearm is impaired for any reason or when engaging in such activities as a reasonable person would conclude the wearing, carrying, or use of a firearm to be inappropriate.
- 4. Except when in uniform or soft uniform with badge visible, all firearms and associated equipment must be concealed from public view when not in use. **EXCEPTION:** Officers may carry holstered firearms without concealment when traversing between headquarters and the offices of the Criminal Investigation, Special Operations, Professional Services Divisions and Patrol Operations, as long as their badge is plainly visible by being either worn on a neck chain or on the belt adjacent to the firearm.
- 5. While on-duty, officers will carry only Department-issued firearms and will carry only one handgun at a time.
- 6. Firearms will not be displayed solely as a show of force when their actual use is not reasonably anticipated.

# .40 HOLSTERS:

- 1. Duty firearms will be carried in holsters issued by the Department or approved in writing by the Firearms Coordinator. Officers will not utilize any holster for their duty firearm unless they have qualified using the holster or until they have demonstrated their ability to properly utilize that holster to the satisfaction of the Firearms Coordinator.
- 2. During annual qualification with their duty firearm, officers must use the type of holster that they most frequently use while on-duty at the time of the qualification.

- 3. Off-duty firearms must be carried in a holster or other carrier designed for the specific firearm carried.
- 4. Officers are prohibited from carrying any firearm, either on- or off-duty, in their waistband or in a pocket without a holster.
- While on-duty, spare magazines will be carried in magazine pouches issued by the Department or approved in writing by the Firearms Coordinator. Officers may wear magazine pouches vertically with the top of the pouch up and the front of the magazines facing the belt buckle or horizontally with the top of the pouch facing the belt buckle and the front of the magazines facing down. Officers will wear their magazine pouches only in a manner in that they have worn the pouches while previously qualifying with their duty firearm.

#### .45 AMMUNITION:

- Only Department-issued ammunition will be used in Department firearms.
- 2. Officers may use department issued ammunition for their off-duty firearms.
- 3. Officers who do not utilize Department-issued ammunition must furnish their own ammunition for use in off-duty firearms. Only ammunition that has been authorized by the Chief of Police will be used. The Firearms Coordinator will maintain a list of all authorized ammunition as per section .10.
- 4. Officers may only carry ammunition in their duty or off-duty firearm that they used during their current qualification.
- Supervisors may issue more than a standard amount of ammunition for any firearm whenever the supervisor reasonably anticipates a potential need for such additional ammunition.

## .50 OFF-DUTY FIREARMS:

- 1. Officers may qualify with personally owned handguns to carry while off-duty. The Firearms Coordinator will set procedures for qualification with off-duty firearms. Officers may also choose to carry their duty firearm while off-duty.
- 2. Off-duty firearms must meet the following specifications:
  - A. The firearm must be of quality manufacture;
  - B. The firearm must be safe and in good working order;
  - C. The barrel length must not exceed five inches; and,
  - D. The caliber of the firearm must be greater than .32 and may not exceed .45.

#### .55 DUTY FIREARM ISSUANCE:

1. The standard issue duty firearm is the Glock model 17 9mm semiautomatic handgun. The Firearms Coordinator will issue duty firearms to sworn personnel. Duty firearms will be issued with three magazines and 46 rounds of authorized ammunition. The firearm will be carried with one round in the chamber, 15 rounds in a magazine in the firearm, and 15 rounds in each of the spare magazines.

- 2. Under appropriate circumstances, sworn personnel may be issued, on a short-term basis, a Glock model 26 9mm or a Glock model 19 9mm semiautomatic handgun as a duty firearm. Model 26 duty firearms and magazines will be issued by the supervisor of the unit authorizing its use. The firearm will be carried with one round in the chamber, 10 rounds in a magazine in the firearm, and 10 rounds in each of the spare magazines. The model 19 may be issued to members of the command staff, CID, and SOD. It will be carried with one round in the chamber, 15 rounds in the magazine in the firearm and 15 rounds in each of the spare magazines.
- 3. Department armorers may issue their assigned spare duty firearm for use while an officer's issued duty firearm is being cleaned, inspected, or repaired.
- 4. Supervisors may issue spare duty firearms or magazines, obtained from the Shotgun Locker, a Department armorer, or the Firearms Coordinator, for use while an officer's issued duty firearm is unavailable for any reason.
- 5. When a member separates in good standing from service with the Department his duty firearm will be inspected by the Firearms Coordinator and evaluated on the basis of years of service and approximate number of rounds fired. To ensure the integrity of the department's firearms cache, the Firearms Coordinator may contact the firearms' vendor and have the firearm exchanged for a new firearm of the same model and caliber currently used by the Department as a Duty Firearm. The firearm will then be removed from our inventory and left to the vendor for final disposition.

# .60 SHOTGUN ISSUANCE:

- 1. All sworn personnel will be trained and will attempt to qualify with a shotgun annually, in accordance with G.O. 1732, "Firearms Qualifications."
- 2. Supervisors may issue shotguns to qualified officers prior to or during a shift. Supervisors will ensure that the shotgun is returned prior to the end of the shift. Shotguns will be issued from, and returned to, the appropriate firearms locker in the Sallyport.
- 3. A shotgun will be issued with nine rounds of authorized ammunition, four rounds for the firearm's magazine tube and five spare rounds. The firearms and spare rounds will be kept in their supplied case/bag unless in use.
- 4. Issued shotguns will be transported in the trunk of the officer's vehicle in the following manner:
  - A. The firearm will be placed "off-cock" by checking the chamber and magazine tube twice to ensure that the firearm is empty, closing the bolt on an empty chamber, and, while pointing the firearm into a discharge containment box, pulling the trigger to decock.
  - B. The safety will be placed in the "off" position.
  - C. Four rounds of ammunition will be loaded into the magazine tube.
- 8. Officers issued a shotgun will personally return the firearm to a supervisor, unloaded and rendered safe, along with all issued ammunition, prior to the end of their tour of duty.
- 6. Officers assigned a departmental vehicle on a regular basis may request in writing, via chain of command to the Commander, Support Services Division, that a shotgun and ammunition be issued to them by the Firearms Coordinator on a long-term basis. An

officer to whom a shotgun is so assigned is required to have the shotgun in his/her assigned vehicle during their tour of duty.

## .65 PATROL RIFLE ISSUANCE:

- 1. Personnel from operational units throughout the Department can request to receive entrance level training to qualify with the patrol rifle. These requests must be endorsed by the officer's chain of command after a training announcement has been posted.
- 2. After completion of the approved MPCTC basic patrol rifle course, the Support Services Bureau Commander will issue a Personnel Order identifying those officers as being authorized to carry and use the patrol rifle.
- 3. Personnel authorized to carry and use the patrol rifle must qualify with this firearm platform on a bi-annual basis with a minimum score of 80%. The qualifications must be completed during each half of the calendar year. The Firearms Coordinator assigned to the Training Unit will document all training pertaining to the patrol rifle in Skills Manager.
- 4. Patrol rifles will be issued to qualified officers based on the number of available firearms. The firearm will be issued with a minimum of three magazines that are loaded with twenty-eight rounds. The firearm and ammunition will be stored in the supplied case when not in use. The officer has the option of securing the patrol rifle in the assigned squad firearm locker located in or near the sallyport when not on duty.
- 5. Officers that have been issued a patrol rifle are required to have the rifle in their assigned vehicle during their tour of duty.
- 6. The patrol rifle will be stored in the provided case and transported in the trunk of the departmental vehicle in the following manner:
  - A. The safety selector lever will be in the safe position.
  - B. The bolt will be closed on an empty chamber.
  - C. A magazine containing twenty-eight rounds will be inserted in the magazine well.
  - D. The officer will return the firearm unloaded and magazine removed after deployment

# .70 SHOTGUN AND PATROL RIFLE USAGE:

- 1. Officers will only use a shotgun or patrol rifle in extraordinary circumstances, such as tactical or high-risk situations. When contemplating the use of a shotgun or patrol rifle, officers will consider the following factors:
  - A. Reduced use of hands when holding the firearm;
  - B. Handcuffing a suspect when alone without the assistance of another officer;
  - C. Potential background hazards; and,
  - D. The possibility of the firearm inciting or aggravating a situation as opposed to being a protective measure.
- 2. Situations that may justify the use of a shotgun or patrol rifle include:

- A. A major criminal incident, such as an active shooter or barricaded subject;
- B. High risk stops;
- C. High risk building or area searches;
- D. Destruction of animals in situations where a handgun would not be effective; and,
- E. Any situation in that a supervisor deems use of the shotgun or patrol rifle appropriate, in accordance with the guidelines of this Order.
- 3. If an officer points a shotgun or patrol rifle at anyone, he/she will complete a Use of Force report detailing the incident, as per G.O. 705, 'Use of Force."

#### .75 SPECIAL FIREARMS:

- Special firearms will generally be carried and used only by members of the Special Response Team.
- 2. The Special Response Team Commander will develop and implement Standard Operating Procedures that detail the storage, issuance (both short- and long-term), transportation, and usage of all special firearms and ammunition. All purchasing, trading or exchanging of SRT weapons will be coordinated through the Firearms Coordinator to maintain consistency in these types of processes.
- 3. Officers who are issued or are using any special firearms will follow all applicable provisions of this General Order at all times.

#### .80 TRAINING FIREARMS:

- 1. The Department uses the SIMUNITION® FX system and airsoft munitions for scenario-based training simulations. The Firearms Coordinator will develop and implement Standard Operating Procedures that detail the storage and usage of airsoft firearms, SIMUNITION® FX firearms, and ammunition. SIMUNITION® FX training will be conducted only by certified SIMUMITION®) FX instructors. Training with airsoft will be conducted by a certified MPCTC instructor.
- The Department uses other firearms and ammunition, including "blank" rounds, for other training purposes. The supervisor of the Training Unit will develop and implement Standard Operating Procedures that detail the storage and usage of such training firearms and ammunition. Training firearms and ammunition will be utilized only under the direction of an MPCTC certified instructor.

## .90 TRADING/EXCHANGING OF FIREARMS:

- All Department weapon trading/exchanging will be coordinated through the Firearms Coordinator.
- 2. The Firearms Coordinator will contact an approved firearms dealer and arrange for the representative to view the weapons. During the meeting, a detailed listing of weapons to be traded/exchanged will be provided to the representative and a copy will be retained by the Firearms Coordinator. The listing will include the following:
  - A. Make of replacement weapon,
  - B. Model of replacement weapon,

- C. Caliber,
- D. Barrel length,
- E. Listing of non-removable weapon accessories,
- F. Listing of removable weapon accessories,
- G. Make of the weapons,
- H. Model of the weapons,
- I. Caliber,
- J. Barrel length,
- K. Trigger group (Safe, Semi, Full),
- L. Non-removable accessories Flip up sights, collapsible stock, etc.,
- M. Purchase date/Years of service,
- N. Estimated round count,
- O. Number of removable accessories to be included with the trade/exchange,
- P. Serial numbers of each weapon to be traded/exchanged.
- 3. The Firearms Coordinator will await for the dealer price/sales quote, which should include all of the information listed in .90 #2
- 4. Once the price quote is received by the Firearms Coordinator a requisition will be forwarded to the Fiscal Manager via the Chain of Command
- 5. The Fiscal Affairs Manager will obtain a purchase order and e-mail it to the Firearms Coordinator.
- 6. The Firearms Coordinator will fax or e-mail the purchase order to the firearms dealer.
- 7. When the replacement weapons arrive they will be sent to the Training Unit Firearms Coordinator so they can be properly entered into the Skills Manager Weapon Inventory. Thereafter, the weapons may be distributed to the proper Department entity.
- 8. Any non-Class III weapon may be sent directly to the firearms dealer upon receipt of the new replacement weapons.
- 9. All Class III (Machine gun/Full Auto/Select fire) type weapons must remain in the possession of the Department until the transfer is approved by the ATF. Upon approval, the firearms dealer representative will contact the Firearms Coordinator and provide approved ATF documentation. When the Firearms Coordinator receives the approved paperwork the weapons may be sent to the appropriate location. The location could be the original firearms dealer, another authorized dealer, another Police Department or private entity.

10.	The Department's Firearms Coordinator is responsible for maintaining all documentation associated with the trade or exchange of Department firearms. All such documentation will be maintained in the Training Unit.